

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES  
(SEALED)

DISTRICT COURT OF GUAM

JUL - 1 2005

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. 05-00039-004

DATE: 07/01/2005

TIME: 2:17 p.m.

HON. JOAQUIN V.E. MANIBUSAN, JR., Magistrate Judge

Law Clerk: Judith Hattori

Court Reporter: Wanda M. Miles

Courtroom Deputy: Leilani Toves Hernandez

Hearing Electronically Recorded: 2:17:40 - 2:39:47

CSO: B. Pereda

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\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: SEAN MICHAEL COLE aka SHAWN COLE ATTY : HOWARD TRAPP

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

(X) PRESENT (X) RETAINED ( ) FPD ( ) CJA APPOINTED

U.S. ATTORNEY: KARON JOHNSON for MARVIC DAVID

AGENT:

U.S. PROBATION: STEVE GUILLOT

U.S. MARSHAL: J. CURRY / F. TAITAGUE

PROCEEDINGS: MOTION FOR CONTINUANCE OF TRIAL

(X) MOTION(s) ARGUED BY ( ) GOVERNMENT ( X ) DEFENDANT(s)

(X) MOTION(s) X Granted \_\_\_\_\_ Denied \_\_\_\_\_ Withdrawn \_\_\_\_\_ Under Advisement

(X) ORDER SUBMITTED X Approved \_\_\_\_\_ Disapproved

( ) ORDER to prepared By: \_\_\_\_\_

( ) PROCEEDINGS CONTINUED TO: \_\_\_\_\_ at \_\_\_\_\_

NOTES:

Mr. Trapp argued his motion and requested for the Court to look into the issues regarding Post 6 at the Department of Corrections. The Court stated that it will look into the matter when he returns from off-island. Government had no objection to the motion.

The Court Granted the Motion for Continuance of Trial and stated that the Ends of Justice in granting the continuance outweighs the best interest of the public and defendant in a Speedy Trial.

Trial is continued to August 30, 2005 at 9:00 a.m. before Judge Otero. PreTrial Conference is set for August 29, 2005 at 11:00 a.m.

The Court also stated that the days from today until the day of trial be excluded from the Speedy Trial calculations and the continuance is applicable to co-defendants who are set for trial on July 11<sup>th</sup>.

( X ) DEFENDANT TO REMAIN IN THE CUSTODY OF THE U.S. MARSHAL

( ) DEFENDANT RELEASED ( ) as previously ordered ( ) see Release Conditions-  
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Courtroom Deputy: